



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7478 of 2022

WEB COPY
Ponnumalai

... Petitioner

vs.

1.The District Revenue Officer,
Aruppukottai, Virudhunagar District.

2.The Revenue Divisional Officer,
Collectorate Campus, Virudhunagar,
Viudhunagar District.

3.The Tahsildar,
Taluk Office,
Aruppukottai, Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to issue patta in the petitioner's name for Old Natham Survey No.96/5 and now New Natham Survey No.525/2 situated at the petitioner village of Mandaba Salai, Aruppukottai Taluk, Virudhunagar District.

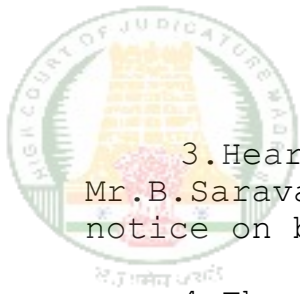
For Petitioner :Mr.R.Murugappan

For Respondents :Mr.B.Saravanan
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the third respondent to issue patta in the name of the petitioner in respect of the property comprised in Old Natham Survey No.96/5 and now New Natham Survey No.525/2 situated in Mandaba Salai, Aruppukottai Taluk, Virudhunagar District based on the petitioner's representation, dated 05.07.2021 within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property. It is also the contention of the petitioner that the said property was purchased by his father in the year 1955 and ever since, the petitioner's family is in possession and enjoyment of the same. The petitioner has submitted a representation on 05.07.2021 seeking for issuance of patta in his name for the subject property. Since the said representation has not been considered till date, he has filed this Writ Petition.



3. Heard Mr.R.Murugappan, learned Counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who takes notice on behalf of the respondents.

4. The learned Additional Government Pleader, on instructions, would submit that there is a rival claimant to the petitioner for the very same property. Further, he would submit that the petitioner is already having free house site patta. The same is recorded. However, the same is disputed by the learned Counsel for the petitioner.

5. No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party whom the third respondent deems fit to enquire.

6. For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation, dated 05.07.2021 seeking for issuance of patta in his name for the property comprised in Old Natham Survey No.96/5 and now New Natham Survey No.525/2 situated in Mandaba Salai, Aruppukottai Taluk, Virudhunagar District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party whom the third respondent deems fit to enquire within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

cmr

To

1. The District Revenue Officer,
Aruppukottai, Virudhunagar District.

2. The Revenue Divisional Officer,
Collectorate Campus, Virudhunagar,
Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Tahsildar,
Taluk Office,
Aruppukottai, Virudhunagar District.

+1 CC to M/s.R. MURUGAPPAN, Advocate (SR-20019[F] dated
21/04/2022)

+1 CC to M/s.SPL.GP (SR-20114[F] dated 21/04/2022)

W.P.(MD)No.7478 of 2022
20.04.2022

RK(02/05/2022) 3P 6C